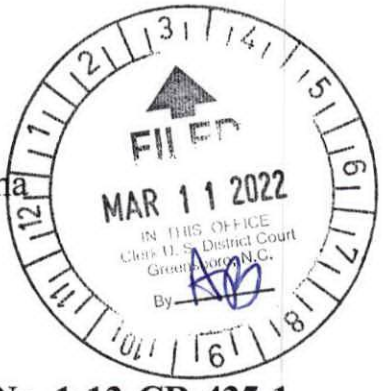

In the United States District Court
For the Middle District of North Carolina

Brian David Hill,	)	
Petitioner/Defendant	)	
	)	**Criminal Action No. 1:13-CR-435-1**
v.	)	
	)	**Civil Action No. 1:22-CV-00074**
United States of America,	)	
Respondent/Plaintiff	)	
	)	
	)	

MOTION TO RECONSIDER THE ORDER/JUDGMENT UNDER DOCUMENT #300 DENYING PETITIONER'S DOCUMENT #294: "MOTION FOR APPOINTMENT OF SPECIAL MASTER FOR PROCEEDINGS AND FINDINGS OF FACT OF GROUND VII"; AND DOCUMENT #296: "MOTION FOR APPOINTED COUNSEL TO ASSIST IN 2255 CASE MOTION AND BRIEF/MEMORANDUM OF LAW IN SUPPORT OF MOTION BY BRIAN DAVID HILL."

Criminal Defendant and 28 U.S.C. § 2255 ("2255 Motion").

Petitioner Brian David Hill ("Brian D. Hill", "Hill", "Brian", "Defendant", and "Petitioner") is respectfully requesting this U.S. District Court ("District Court") grant this Motion to Reconsider based on the ORDER/JUDGMENT being erroneous and premature. That there is a justifiable request for delay or tolling of the order. That it is not yet ripe for response from the Government or disposition during pending state criminal case appeal matters directly affecting the pending 2255 case and it's grounds; as well as pending review by the Governor's Office of

Virginia regarding Petitioner's filed request for a pardon for Actual Innocence via an Absolute Pardon. As well as Petitioner's plan to file a 2254 Motion after all state remedies are exhausted but filing it prior to the one year statute of limitations to make it timely filed.

This is based on both Rule 59 and Rule 60 under the Federal Rules of Civil Procedure. Pursuant to Rule 59(e): Motion to Alter or Amend a Judgment; and Rule 60: Motion for Relief from a Judgment. See Fed. R. Civ. P. 60 and Fed. R. Civ. P. 59.

See United States v. Clark, 984 F.2d 31, 34 (2d Cir. 1993)(Rule 59 applies in section 2255 proceedings); Gonzalez v. Crosby, 545 U.S. 524, 534 (2005)("Rule 60(b) has an unquestionably valid role to play in habeas cases."). Wild v. United States, Case No.: 18cv2193, 15cr2771-AJB, (S.D. Cal. Nov. 9, 2020) ("A motion for reconsideration or relief from a judgment may be brought under either Federal Rule of Civil Procedure 59(e) or Rule 60(b). Fuller v. M.G. Jewelry, 950 F. 2d 1437, 1442 (9th Cir. 1991) (citing Taylor v. Knapp, 871 F. 2d 803, 805 (9th Cir. 1989)). Pursuant to Rule 59(e), a motion for reconsideration "must be filed no later than 28 days after the entry of the judgment" and may be granted if the district court "is presented with newly discovered evidence, committed clear error, or if there is an intervening change in the controlling law." Wood v. Ryan, 759 F.3d 1117, 1121 (9th Cir. 2014) (internal quotation marks and citations omitted).").

United States v. Loney, Criminal No. 3:02CR290, 2-3 (E.D. Va. Dec. 17, 2013) ("The United States Court of Appeals for the Fourth Circuit recognizes three grounds for relief under Rule 59(e): "(1) to accommodate an intervening change in controlling law; (2) to account for new evidence not available at trial; or (3) to correct a clear error of law or prevent manifest injustice." Hutchinson v. Staton, 994 F.2d 1076, 1081 (4th Cir. 1993) (citing Weyerhaeuser Corp. v. Koppers Co., 771 F. Supp. 1406, 1419 (D. Md. 1991); Atkins v. Marathon LeTourneau Co., 130 F.R.D. 625, 626 (S.D. Miss. 1990)).")

Petitioner requests vacatur or modification of the erroneous judgment / order entered on March 2, 2022 under Document #300 by the District Court. It is erroneous, an error of law or abuse of discretion, and needs to be corrected, modified, or vacated to reflect the facts and legal issues herein. The order is erroneous, an abuse of discretion, and is making erroneous remarks against a highly skilled and highly decorated attorney at law in the United States Judicial Districts of Georgia. Erroneous but Attorney Lin Wood may or may not consider as defamatory remarks such as by labeling Petitioner's entire blackmail scheme claims, evidence and witness or witnesses regarding the "blackmail" video as "delusional" and "frivolous". Those labels applies not only to Petitioner but applies to Isaac Kappy and Attorney L. Lin Wood, they may disagree with the opinion in Document #300. The order does not specify what is delusional here and why

Petitioner is considered "delusional" just for asking for legal reviewing over the alleged blackmail videos. Petitioner had faxed this attorney last year (See **Exhibit 3**) asking about who is in the blackmail videos and this Attorney is not confirming or denying if Hon. Thomas David Schroeder and/or Hon. William Lindsey Osteen Junior are in any of the alleged encrypted blackmail videos. This Court and the Prosecutor (after being filed by the Clerk via CM/ECF) now will have the password as well to the encrypted blackmail videos, wherever they are, due to his family obtaining the password by research (See **Exhibit 10**, and **Exhibit 6**) under finding evidence from radiopatriot.net which that evidence was printed under **Exhibit 6** and **Exhibit 7**. It verifies the claim is backed by credible solid evidence warranting the need for a Special Master or Appointment of Counsel for further investigation into the alleged blackmail videos.

Disclaimer: All of the Petitioner's printouts and exhibits, as well as any links and videos or any other data of the online information were all given to him by family. The Petitioner did not use the internet in the creation and drafting of this pleading and it's supporting exhibits.

1. Petitioner submits this MOTION and BRIEF / MEMORANDUM OF LAW and ATTACHED EXHIBITS 1-18 as to why this motion should be granted.

BRIEF / MEMORANDUM OF LAW IN SUPPORT OF MOTION

2. Petitioner submits new Exhibits both in support of this Motion to Reconsider but also in support of Document #291: "MOTION to Vacate, Set Aside or Correct Sentence (pursuant to 28 U.S.C. 2255) by BRIAN DAVID HILL"; Document #294: "MOTION FOR APPOINTMENT OF SPECIAL MASTER FOR PROCEEDINGS AND FINDINGS OF FACT OF GROUND VII "...BLACKMAIL SCHEME INVOLVING CHILD RAPE AND MURDER..." Concerning "JUDGES" MOTION AND BRIEF/MEMORANDUM OF LAW IN SUPPORT OF MOTION by BRIAN DAVID HILL"; and Document #296: "MOTION FOR APPOINTED COUNSEL TO ASSIST IN 2255 CASE MOTION AND BRIEF/MEMORANDUM OF LAW IN SUPPORT OF MOTION by BRIAN DAVID HILL." Document #299 is also in support of Motions Documents #294 and #296.

3. The Exhibits Petitioner introduces as additional new evidence are as outlined in paragraph 2 of this Motion are of the following:

EXHIBIT #:	PAGE RANGE:	DESCRIPTION:
EXHIBIT 1	1-5	Attorney L. Lin Wood history and background.
EXHIBIT 2	6-10	State Bar of Georgia Attorney information on L. Lin Wood

EXHIBIT 3	11-22	Successful Transmission Ticket FAX and Letter to Attorney L. Lin Wood dated January 20, 2021. Addendum to Letter dated January 25, 2021, and successful Transmission Ticket.
EXHIBIT 4	23-24	Isaac Kappy: The name of the game is blackmail Video DVD Disc. Transcription of video in Motion under paragraph 4, page 07. See "NOTICE OF FILING PAPER OR PHYSICAL MATERIALS WITH THE CLERK"
EXHIBIT 5	25-43	News article: Presumed Guilty - Atlanta Magazine mentions Attorney Lin Wood
EXHIBIT 6	44-51	Lin Wood re: Isaac Kappy's discovery of pedo blackmail tapes | The Radio Patriot
EXHIBIT 7	52-53	E7-screen-shot-2021-02-01-at-11.02.33-am.bmp – Photograph of Letter to Attorney Lin Wood which Lin Wood released.
EXHIBIT 8	54-60	News article: 'Every lawsuit is a war' - Atlanta Business Chronicle
EXHIBIT 9	61-62	Official White House Photo by Joyce N. Boghosian; Attorney Lin Wood and President Donald John Trump (March, 2020)
EXHIBIT 10	63-67	Printout of tweet from @IsaacKappy – Hash code for encrypted blackmail video files - 86d53c1315f42ea48caa0dc1b82a1c61e988b1035db897e90c2303c05d8721648ca816eada320c950b75985575b495a12c06d0a0ba77b9e23ccbd7d31b5bd035
EXHIBIT 11	68-74	Jeffrey Epstein's case: US Federal judge's son shot dead, husband critically injured
EXHIBIT 12	75-92	News article: Video shows moment authorities raided Jeffrey Epstein's $77million mansion | Daily Mail Online

EXHIBIT 13	93-103	E13-NOTICE-APPEAL-MARCH-1-2022 (2).pdf – Notice of Appeal
EXHIBIT 14	104-106	E14-030122 order - summarily dismiss actual innocence petition bw 0173-22-3.pdf – Summary Order of dismissal due to lack of jurisdiction
EXHIBIT 15	107-114	NOTICE OF APPEAL of Judge's Order dismissing defendant's Motion for Judgment of Acquittal or New Trial
EXHIBIT 16	115-122	NOTICE OF APPEAL of Judge's Order dismissing defendant's Motion for Judgment of Acquittal, which the Court treats as a Petition for Writ of Actual Innocence
EXHIBIT 17	123-125	E17-ACMS-CAV - Case Information-0289-22-3-Mar-9-2022.pdf – Appeal docketed and appeal as of right for criminal appeal; CAV no. 0289-22-3.
EXHIBIT 18	126-128	E18-ACMS-CAV - Case Information-0290-22-3-Mar-9-2022.pdf – Appeal docketed and appeal as of right for criminal appeal; CAV no. 0290-22-3.

4. Transcription of Exhibit 4 in support of the Attorney L. Lin Wood claims which reference Actor Isaac Kappy. Here is the transcription of the Video DVD Disc:

> CITATION of Issac Kappy Statement: "When you're talking about like, really elite levels, **the name of the game is blackmail.** So they want something on you that they can hold over your head. So **they can basically own you and tell you what to do. And they film it.** And **then they own you.** So **that's what runs the whole system.** Basically, **they want**

> **compromised people because they're easy to control**. And a lot of, **you know a lot of people they'll just go along with it** and do whatever just for fame or money or accolades, or any of that stuff. You know, I don't I don't I don't understand it. Some people are just like, really into the evil shit."
> **Transcription word for word from the video of Exhibit 4. Transcription may have errors.**

5. Anyways the District Court had erred in denying Petitioner's Document #294: "Motion For Appointment Of Special Master For Proceedings And Findings Of Fact Of Ground VII"; and Document #296: "Motion For Appointed Counsel To Assist In 2255 Case Motion And Brief/Memorandum Of Law In Support Of Motion By Brian David Hill."

6. The District Court's order is premature and had made a determination of "delusional" without any evidentiary hearing, without subpoenaing Attorney L. Lin Wood or even asking him to direct interrogatories/questions at his source or sources to verify any element of the facts and/or claims by Brian David Hill, the Petitioner, in his 2255 Motion and Brief, in his Motion asking for a Special Master under Document #294, and a Motion asking for appointment of counsel under Document #296.

7. First let us examine the error in the Order/Judgment's claim and must be vacated or modified to reflect the evidence and valid arguments and truth:

> CITATION from ORDER: "Petitioner also filed four other motions. The first Motion (Docket Entry 295) seeks the

> appointment of a special master because an attorney in Georgia stated that unidentified judges somewhere in this country are being blackmailed into raping and murdering children on video recordings and Petitioner fears that judges in this Court, including the ones handling his case, may be affected. The Motion will be denied because Petitioner's statement is delusional and frivolous and because Petitioner's request meets none of the requirements for the appointment of a special master. See Fed. R. Civ. P. 53(a)."

8. The District Court's claim that "Motion will be denied because Petitioner's statement is delusional and frivolous" is erroneous on the basis of fact and law based on non-delusional witnesses such as Attorney L. Lin Wood and Isaac Kappy and anybody who has stored the blackmail videos for any investigation, anybody who is involved in access to the encrypted blackmail videos, and this Motion and Brief / Memorandum of Law as well as attached Exhibits explain why. That finding is premature and is erroneous. It is an error of law, an error of the facts established in Documents #294 and #296.

9. That legal opinion or claim of "Petitioner's statement is delusional and frivolous" is not just insinuating that Brian David Hill's statements are delusional but is also insinuating that "delusional" label or statement against the claims and statements of high profile Attorney L. Lin Wood and American actor Isaac Kappy. Two high profile people known in both television and in the media are also being labeled as "delusional and frivolous" by the District Court. That right there is an

error. An error of fact and an error of law. Attorney Lin Wood is not delusional here. The order must reflect that Lin Wood had not been proven delusional.

10. First of all, as to the Attorney L. Lin Wood information cited in both the wrongfully denied Motions under Documents #294 and #296, Document #299 Additional Evidence Memorandum, as well as 2255 brief Document #292, Page 126 through 147 of 194. That attorney is a high profile attorney who had represented various clients in high profile cases. Any lawyer and judge can research this information and verify its legitimacy and validity and credibility. Attorney L. Lin Wood is a credible attorney and his source is a credible source. It is not just "an attorney in Georgia" as the Court bluntly says about it. This attorney represented Richard Allensworth Jewell, in a federal civil suit, a man falsely who was falsely portrayed as a terrorist by the media. See **Exhibit 5**, page 17 of 21 of that Exhibit (Exhibit page 42) of a news article printout referencing Attorney Lin Wood. It said and I quote the citation that: ""The public trial in the media of Richard Jewell is over, and the verdict is not guilty," said Lin Wood, a lawyer who will handle the civil suits Jewell intends to file." Article titled: Presumed Guilty by Scott Freeman - December 1, 1996. Attorney L. Lin Wood is not just an attorney in Georgia as the District Court so bluntly puts it. In addition to representing Jewell, Wood had represented the family of JonBenét Ramsey and former U.S.

representative Gary Condit in defamation suits. Also Attorney Lin Wood became "one of the country's top libel lawyers" according to **Exhibit 8**.

CITATION FOR EXHIBIT 8 OF ARTICLE ON ATTORNEY LIN WOOD:

> (Citation word "resume" corrected in this citation and was reformatted) "Wood's resume reads like an index for a supermarket tabloid. First he represented Richard Jewell, the security guard wrongly suspected of bombing Centennial Olympic Park. He later took up the cause of John and Patsy Ramsey, who were launched into the spotlight when their beauty queen daughter was murdered in their Denver home. And more recently, The Denver Post reported Wood had "discussions" with Kobe Bryant's accuser, whose identity recently was revealed by a tabloid...Wood said he is not working on the case. But he is representing Condit. "I don't take the easy ones," he said. "The truth is that every lawsuit is a war," he added. Wood, 51, has become one of the top libel lawyers in the country, said Robert D. Richards, a co-founder of the First Amendment Center at Pennsylvania State University. He has met Wood several times and said he admires Wood, despite his own work in media advocacy."

11. Attorney L. Lin Wood has been in good standing since the reported State Bar information of January 1991. He is still an active attorney and has not been disbarred even on the date of March 3, 2022 of the **Exhibit 2** printout attached to this filing before the District Court. See **Exhibit 2**. Read his complex profile background information about Attorney Lin Wood on his credibility as a professional and ethical attorney. See **Exhibit 1**. He was admitted as an attorney to

the Federal Court Districts which provide the major credibility of the witness Attorney L. Lin Wood. It is a FACT that Attorney Lin Wood was admitted to practicing law in the year of 1977, in Georgia; in the U.S. District Court, Northern District of Georgia; in the U.S. District Court, Middle District of Georgia, in the U.S. District Court, District of Colorado, in the U.S. Court of Appeals, Eleventh Circuit and in the U.S. Supreme Court. Over 40 years of practice in the legal service. Very highly decorated lawyer for just "an attorney in Georgia" as the District Court bluntly puts it in its "ORDER".

12. Last but not least, Attorney L. Lin Wood even had his photo taken at the White House with President Donald John Trump when many attorneys don't ever get such a chance to be able to visit inside of the White House talking to a busy President of the United States for a White House photo op. See **Exhibit 9**. Photo taken in March of 2020.

13. The claim in the Judgement / Order by the District Court as to the credibility of the statements of Attorney L. Lin Wood as to being "delusional" and "frivolous" are erroneous, unfounded, an error of fact, an error of law, and are an abuse of discretion. Attorney L. Lin Wood had been informed of Document #300 by Roberta Hill and so he is on notice about the erroneous remarks by the District Court of the Middle District of North Carolina concerning this highly decorated attorney at law. He is a high profile and highly successful lawyer and his claims

should not be merely labeled by the District Court as "delusional" and "frivolous". I don't personally know what Lin Wood had thought of the order, but hearing that he sues anybody making false claims about him, Lin Wood could sue this Court for the erroneous findings of fact if he feels such remarks may be defamatory against him. Petitioner makes it clear to this Court as to the credibility of the alleged "blackmail" evidence alleged as to "child rape and murder". Attorney Lin Wood used the term "allegedly", See Document #293, Attachment #5.

14. The Magistrate Judge denying Petitioner's Motion for a Special Master was an error of law and abuse of discretion because that decision violated Federal Law under 28 U.S. Code § 455 - Disqualification of justice, judge, or magistrate judge. The Magistrate admitted and acknowledged in his ORDER that: "**Petitioner fears that judges in this Court, including the ones handling his case, may be affected.**" Marked in bold in this citation, exactly demonstrates the potential conflict of interest. A conflict of interest exists and this Motion under Document #294 never should have been acted upon by a Judge with a conflict of interest or partiality regarding the matter or should have granted the motion and allowed a Special Master to be appointed as acting judge or fact finder over any and all matters concerning the alleged blackmail videos in Document #294 where there are any CONFLICTS OF INTEREST.

15. It is a conflict again as outlined in paragraph 14. It is no different than other extreme examples being argued herein as a CONFLICT of INTEREST. Like for example: What if Adolf Hitler was appointed as a Judge in the Nuremberg Trial to try the captured Nazi politicians or top military brass of the Nazi Regime in the 1940s after the end of World War II and defeat of Nazi Germany. That would be a major conflict of interest because Hitler had been accused of working with the Nazi Party, and would likely acquit himself as well as his associates. Historically, The Nazi Party was formerly the German Workers' Party before it became rebranded politically as the Nazi Party. Another example is if OJ Simpson was appointed as the "judge" for his own criminal Trial by Jury for what he may be accused of. Another example would be if Michael Jackson or Bill Cosby was both a criminal defendant and Judge over their cases. It is the exact same extreme example of a civil or criminal defendant also being given the position of judge over any accusations against them or against their bosses or employees. It is a conflict.

16. What Petitioner is attempting to explain herein in both paragraphs 14 and 15 are that Judge Joe L. Webster admitted and acknowledged Petitioner's fears that it is "**including the ones handling his case, may be affected.**" That is in regards to the GROUND VII Blackmail ground in the 2255 Motion, Brief / Memorandum of Law under Document #292, Page 126 through 147 of 194, and all as outlined in Documents #294 and #296, and Memorandum in additional evidence under

document #299. If Joe Webster or even his boss is even suspected as to ever being one of the judges "**handling his case, may be affected**" then Joe L. Webster is acting in conflict of interest in denying both Motions. His decision was erroneous as a matter of law because it had violated 28 U.S. Code § 455 as well as violating the Professional and Ethical Canons of Judicial Conduct requiring impartiality, against any conflicts of interest. If he is even acknowledging in his own opinion, in his own ORDER that he or Chief Judge Schroeder "may be affected" in what Petitioner fears as any potential involvement in the alleged blackmail video allegations suspected by Petitioner due to the evidence (**Exhibits #4, #6, #7, and #10**) and statements by Attorney L. Lin Wood then those allegations should be handled by a Judge who had never been directly involved in the criminal case of Brian David Hill. As Petitioner did not accuse or express fear of any effect of Judge Hon. N. Carlton Tilley Junior or even Hon. Catherine Eagles of being possibly involved in the alleged blackmail videos, they could be appointed to being the presiding judges of the case of this 2255. There are Magistrates such as Hon. Joi Elizabeth Peake, Hon. L. Patrick Auld, and Hon. Loretta C. Biggs. There are still plenty of judges which should have acted upon the Motion for a Special Master and appointment of counsel. The Order is erroneous because it is may be an attempt to defend the very judges which Petitioner fears may be affected by the alleged blackmail scheme or protect the very judges which Petitioner fears may be

affected by the alleged blackmail scheme. This may protect them from any investigation instead of acting as a valid Court Order under an impartial and non-biased manner in compliance with the ethics and professional Canons of Judicial Conduct. It is attempting to downplay the fears and allegations under GROUND VII and is attempting to mislabel all allegations and the credibility of Attorney L. Lin Wood and actor Isaac Kappy as all delusional and as just "an attorney from Georgia" to make it sound insignificant to almost make it appear that Petitioner had some attorney made claims to fit Petitioner's alleged "delusions". That is not the case here. Whatever type of way the Court had attempted to paint the Petitioner and Lin Wood as, it is an erroneous finding of any fact in that Court Order. It is erroneous because it is attempting to downplay the credibility and evidence as mere "delusions" or "delusional". There is no evidence cited or proven in the Order proving that Petitioner's GROUND VII claims and claims in his #294 and #296 Motions are "delusional". There is no evidence or facts proving that Attorney L. Lin Wood and his claims which were submitted in this case as evidence are delusional and "frivolous". The words "delusional" and "frivolous" in the context of The Lizard Squad obtained blackmail videos alleged by Attorney Lin Wood and Isaac Kappy are just labels without the facts to back them. There is no factual basis for this Court in its Document #300 order to label the claims and evidence as entirely "delusional" and "frivolous". There is no valid justification to have denied

the Petitioner's Motion for appointment of a Special Master (Document #294) and Motion for Appointment of Counsel under Document #296.

17. Petitioner likes to introduce even more supportive evidence in support of his 2255 Motion under Document #291, GROUND VII BLACKMAIL GROUND in Document #292, Document #299 evidence memorandum, and Document Motions #294 and #296. See **Exhibit 6**. That is a posting printout entitled: "Lin Wood re: Isaac Kappy's discovery of pedo blackmail tapes". Again referring to the GROUND VII BLACKMAIL. It shows that the encryption password to the alleged blackmail videos was given to Attorney L. Lin Wood, as he had claimed that he only had the password (Doc. #293-6, Page 4 of 7). It also shows that a client who had went to him to present the blackmail scheme issues had wished to remain anonymous meaning that the usage of "attorney / client privilege" had been invoked forcing Attorney Lin Wood by professionalism not to disclose the name or names of his sources who has the alleged blackmail video files. Likely out of the client's or multiple clients' risk of being killed, retaliated against, harassed, murdered, tortured, stalked, or even robbed or harmed in any way. So Petitioner's claims are not delusional but simply the source or sources of Lin Wood's alleged blackmail video claims do not wish to have their names publicly out there because they may be harmed or killed. This does not mean that it cannot be proven. Maybe Attorney Lin Wood would like this U.S. District Court or any special counsel or

prosecutor to conduct any investigation of the alleged blackmail videos safely and securely in a way which does not jeopardize the lives of his client or clients. See the letter to Attorney Lin Wood published as to the conditions by his source or sources which invoked the attorney / client privilege. See **Exhibit 7**.

> CITATION of Exhibit 7: aFor Mr. Lin Wood:
>
> In 2019, Isaac Kappy somehow got all the EPSTEIN ISLAND BLACKMAIL VIDEO FILES for every powerful pedophile on earth who made acquaintance with Epstein. He distributed the encrypted video file, then made some erratic moves. He caught the aggro of too many spy networks and they had him killed before he could release the password for the video files.
>
> However, Isaac Kappy did release the hash signature of the password for the blackmail video files. He posted the password hash as a sort of deadmans insurance here: http://archive.is/J0sK6
>
> So essentially: there are people with copies of the Isaac Kappy sourced epstein blackmail video files, but nobody ever had the key to unlock the files... until now.
>
> The password is: "cultstate.com has issued protections on this matter" [inside the quotations]
>
> You can verify that the password matches the hash by going here and entering it on this site, getting the hash output, and comparing it to Kappy's archived deadman switch tweet I posted previously https://emn178.github.io/online-tools/sha512.html
>
> Since posting the actual password is ULTIMATE POWER, it is best if you dangle the prospect of releasing a password in front of them instead of releasing it. This password is absolutely the strongest blackmail in the world and anybody with his password will need 24/7 security, especially if planning to proceed with this information. It might be a good idea to run this information by General Flynn because this is NUCLEAR LEVEL BLACKMAIL. Use with caution. With great power comes great responsibility.

PLEASE DONT MENTION ME AS THE SOURCE OF THIS INFORMATION; I cant afford 24/7 security.

The first goal is to get Roberts to resign or recuse, and Pence to make the right choice on Jan 6. If you can make some kind of veiled threats to these people while dangling the password to the epstein blackmail videos (without ever releasing the password), then you can make the ENTIRE deep state do your bidding. Be careful though, because this type of thing will invite state actors to attack: i.e. cia, mi6, ccp, etc

As soon as you release the password, you lose all leverage, so dont actually release the password unless absolutely necessary.

Good luck. God bless. Sending prayers for you and your team.

18. Petitioner isn't afraid of being murdered at this point because of being a fake sex offender. At this point Petitioner and as always, Petitioner was willing to risk his own life as necessary to be acquitted of any wrongful conviction for a crime he is innocent of. At this point Petitioner is willing to be attacked by the deep state assassin squads if that is his fate as Petitioner continues his fights both intellectually, legally, lawfully, and peacefully to be acquitted not just in this current 2255 case but to be acquitted of his original child porn conviction someday. "Give me liberty or give me death", quoted as Patrick Henry had publicly stated in comment against the British soldiers at the period of 1776, at the beginning of the American Revolution, historically. Petitioner will also fight to expose whoever is in the alleged blackmail videos because they, whoever framed Brian David Hill in 2012 had created a situation where the Feds of the U.S.

Department of Justice are holding Brian D. Hill hostage in the judicial system with fabricated or manufactured evidence and are refusing to let Petitioner be free of his probation. They don't want Petitioner to be free. Petitioner disagrees with the DOJ and will fight legally and lawfully to release whatever truth he has until things are set right again, justice must be done in the name of truth.

19. Anyways here is the encryption hash key for the alleged blackmail video files for this Court and for Anand Prakash Ramaswamy. Petitioner submits this to the Court and to Assistant U.S. Attorney Anand Prakash Ramaswamy and wants the U.S. Marshals Service to use the encryption password or key to access the alleged blackmail video files, wherever that evidence is held, whoever is willing to give those videos to the Marshals. If it is ever true that Chief Judge Thomas David Schroeder is in any of the encrypted video files with the password, then this proves Petitioner's GROUND VII in his 2255 case and also the blackmail videos would likely prove his claims in Documents #294, #296, and #299. See **Exhibit 10**. The encryption hash-code of the password which could be used to decrypt the encrypted alleged blackmail video files. Petitioner isn't afraid of being murdered in his bid for acquittal, for his life to be restored to full liberty and not conditional liberty, and has been willing to risk his life after he was wrongfully charged and wrongfully convicted with child porn. See Document #169. Petitioner is innocent of it all including his state charge of indecent exposure. Petitioner was set up again

and is willing to risk his life to be cleared of it all. Petitioner is not afraid of the deep state because the deep state does not follow Jesus Christ or God. The Deep State don't follow the laws. Petitioner wants to continue following the laws as he has been all of his life as a law abiding citizen. That is why he keeps fighting to proving his innocence. Petitioner wants to fight to clear his record, and to clear his rap sheet.

20. Petitioner submits this last piece of evidence which proves that Petitioner is not delusional and that Petitioner had faxed Attorney L. Lin Wood conducting an inquiry requesting information or proof that any of the following individuals or named people or positions within the judiciary or even in the original criminal investigation in North Carolina may or may not be involved in the alleged blackmail video files. If any of them are ever proven to have been in one of the videos, then all of the cases involving the blackmailed judges which Brian David Hill was a party of are null and void. His conviction or convictions would be null and void. Any case involving blackmail of Judges by the Federal Government to manufacture favorable decisions to the Federal Government should always automatically be favorable towards the criminal defendant when the blackmail is ever proven. The Petitioner in this case must be acquitted if the blackmail videos ever prove any judge to have ever been involved in Brian's criminal case and if it is proven that the retainers or producers of the blackmail videos for purposes of

blackmailing happen to work for the United States Government or any agency. Anyways Petitioner had faxed a letter to Attorney L. Lin Wood on January 20, 2021, on the day that, in my opinion, the illegitimate dictator Joe Biden became the fake President of the United States of America. Petitioner was angry that Donald Trump never pardoned him for the crime he was innocent of so he started writing Attorney L. Lin Wood to try to obtain any credible information about judges and officials caught in any of the alleged blackmail video files. See **Exhibit 3**. See letter entitled: "EMERGENCY LETTER TO ATTORNEY L. LIN WOOD ON TWEETS CONCERNING BLACKMAILED FEDERAL/STATE JUDGES AND POLITICIANS, INQUIRY THAT COULD SAVE MY LIFE FROM BEING TARGETED BY THE CIA/NSA DEEP STATE THUGS", Dated Wednesday, January 20, 2021. It is a true and correct copy of the letter and successful FAX transmission ticket. Lin Wood did respond at some point not directly at Petitioner in writing but responded by email to inform Petitioner that he doesn't have possession of the encrypted video files but of the password. The letter in **Exhibit 7** further demonstrates the claim by Attorney Lin Wood regarding the password. See Exhibit 7 — Document #293, Attachment #6 (#293-6) and Exhibit 6 — Document #293, Attachment #5 (#293-5). Petitioner did not wanted to file the letter in **Exhibit 3**, wanted that letter to be kept confidential but now it had to be filed because it proved that Petitioner had requested information in inquiry as top who is

possibly being blackmailed with child rape and murder. Disclaimer: Some of the statements made in **Exhibit 3** is political hyperbolic and opinionated hyperbolic. The main purpose of submitting a copy of that faxed letter to the Court is to prove that an inquiry was made to Attorney L. Lin Wood to settle those fears of who may be blackmailed, when again the District Court had said in its Doc. #300 opinion that Petitioner had feared of who "may be affected". So Petitioner had faxed that letter last year just to settle those fears. The opinions in that letter are hyperbolic and he means no disrespect.

21. Now that Petitioner is filing more evidence in support of Document Motions under #294 and #296. It is time for the District Court to reconsider its erroneous decision denying both motions.

22. This District Court is free to contact Attorney L. Lin Wood to compel him as an officer of the Federal Courthouses in Georgia to give a statement under oath or affirmation. Petitioner asks that before continuing with the erroneous assumption of Petitioner's claims being "delusional" and "frivolous" that the District Court can contact the following attorney as witness or involved with the witness or witnesses likely under attorney/client privilege:

Attorney L. Lin Wood, Attorney at Law
lwood@linwoodlaw.com
Direct: 678-365-4116
Fax: 404-506-9111
form@linwoodlaw.com

P.O. Box 52584
Atlanta, GA 30355-0584

23. The District Court also made erroneous claims. Petitioner feels that it may be an abuse of discretion:

> "Petitioner next filed a Motion (Docket Entry 296) seeking an appointment of counsel to aide him in pursuing his § 2255 Motion. In considering this request, the Court notes first that there is no constitutional right to appointed counsel in a habeas case."
>
> "Appointment of counsel is also required if discovery is otherwise authorized and counsel is needed for effective discovery or where an evidentiary hearing is to be held. Having reviewed Petitioner's request for counsel and the record in this matter, the Court does not find that appointment of counsel is required by the interests of justice or otherwise. Therefore, Petitioner's request for counsel will be denied."

24. The District Court made the wrong assumption when stating that: Petitioner is "seeking an appointment of counsel to aide him in pursuing his § 2255 Motion" Actually the request had asked for counsel to be appointed for exactly the purposes of discovery and subpoenaing the "blackmail" video files alleged by Attorney Lin Wood. Acting as a proxy for whoever gave the information regarding the blackmail scheme, through attorney / client privilege. To ethically be in contact with the witness Lin Wood. As well as subpoenaing Officer Robert Jones and Pete Compton the Chimney expert. It wasn't asking for counsel merely for filing

pleadings or doing what Petitioner has already been doing filing his professional looking pro se motions, exhibits, and briefs. However the denial of that motion was erroneous because the Petitioner had correctly stated in Document #296 that Petitioner is not an officer of the Court and has no power to subpoena any evidence or witnesses and has no power to conduct discovery. Look at Petitioner's failed FOIA lawsuit in the Western District of Virginia in 2017 referenced in his first 2255 Motion under Document #125 challenging a different conviction than in this 2255 Motion. Petitioner failed in his FOIA lawsuit to obtain all discovery materials from the U.S. Attorney Office because Petitioner is limited in his capacity to legally request for any discovery materials because he is not an officer of the Court. An attorney has those powers and the Motion had correctly requested an appointment of counsel for the very purposes covered "that discovery or an evidentiary hearing is necessary, or that the interests of justice otherwise require". The interest of justice requires reviewing over the "child rape and murder" blackmail video files. It is of the best interest of law enforcement, and of the interest of justice to determine the identities of possibly any federal and / or state judges in the alleged blackmail video files. Arguably, if any of the alleged blackmail videos includes the Circuit Court Judge in Martinsville, Virginia then his criminal conviction may be subject to acquittal, vacatur. It doesn't just include any Federal Judges but may include any State Judges in the indecent exposure case or

any appeals of Brian David Hill at issue in the entire 2255 case. Petitioner had correctly cited the GROUND VII and it doesn't establish the confines of the Petitioner's allegations to just any judges of the U.S. District Court but the 2255 brief also stated that blackmail may include any State Judges in the State Courts in Virginia. See Document #292, Pages 149 through 150 of 194. If they were blackmailed then Petitioner was wrongfully convicted of indecent exposure due to fraud on the court BY BLACKMAIL. It could tie the FEDS aka the United States Government directly to the blackmail of any of the state judges and wrongful conviction in the Commonwealth of Virginia. That would make the entire indecent exposure case in Virginia as unlawful and unconstitutional, a fraud on the court that must warrant acquittal, expungement, and sanctions.

25. Petitioner isn't just asking for an attorney for the blackmail videos to be reviewed over but for any and every discovery matter. That comports with the current case law regarding the motion for appointment of counsel and was appropriately argued in the Motion. Jeffries v. U.S., CIVIL CASE NO. 1:10cv205, [Criminal Case No. 1:07cr56], 2 (W.D.N.C. Oct. 25, 2010) ("A petitioner must make **specific allegations establishing reason** to believe that, **if the facts are fully developed, he is entitled to relief.** The burden is on the petitioner to demonstrate the materiality of the information sought. Stanford v. Parker, 266 F.3d 442, 460 (6th Cir. 2001), certiorari denied 537 U.S. 831, 123 S.Ct. 136, 154

L.Ed.2d 47 (2002).”). Petitioner can easily have an attorney review over the blackmail video files if appointed one. Petitioner as a Probationer had cautioned the District Court in his Motion for Appointment of Counsel (Doc. #296) that Petitioner cannot personally review over the alleged evidence of “child rape” and “murder” blackmail videos because doing such of being forced to personally review over such videos to investigate would violate the conditions of his Supervised Release prohibiting him from viewing or possessing pornography of any kind. Petitioner needs counsel to review over the blackmail videos and be allowed to retain them securely in their official capacities as officers of the Court. By denying the #296 motion, this subjects the Petitioner to be forced into a bad situation where in order to prove his claims are not delusional, he would have to ask Lin Wood to have his source give him access to the videos instead to review over which would violate the conditions of his Supervised Release. This District Court should understand that the conditions of his Supervised Release require the utmost delicate situation where the appointment of counsel or Special Master is necessary for requesting access to the alleged blackmail video files, and reviewing over them in the official capacity to prevent any potential violations of Supervised Release. Petitioner needs counsel to review over the alleged videos while remaining compliant with the conditions of Supervised Release.

26. The interest of justice requires that appointment of counsel for the purposes of conducting discovery and reviewing over the alleged blackmail video files without Petitioner having to worry about the potential risk of violating his condition of Supervised Release. The appointed counsel can review over the videos, have his/her legal team or paralegals determine the identities of the blackmail video targets, and report findings to the U.S. District Court and report findings to Respondent's counsel about the identities of the rapists and murderers in those video files. If it is ever proven that the Hon. Thomas David Schroeder, Hon. William Lindsey Osteen Junior or any other involved State Judge or Federal Judge is indeed in any of the alleged video files, if it can be confirmed by reviewing over the videos within reach with the assistance and cooperation of Attorney Lin Wood then Petitioner has proven or disproven the facts alleged in GROUND VII and Petitioner is not delusional and not being frivolous at all. It is not being frivolous to be a fact finder. It is not being frivolous to want to investigate. It is not frivolous to request investigation or to request review of evidence. It is up to the evidence as to what the truth may find.

27. Petitioner argues that the District Court's claims of Petitioner being "frivolous" and "delusional" in the ORDER are without a factual basis. It is an abuse of discretion and is erroneous. If the blackmail video files do not show the alleged Federal Judges as Petitioner fears of who may be in any of the video files,

then Petitioner's claims are without merit and Petitioner is either wrong or delusional if he continues asserting his claims after verifying the identities in the video files. The District Court's determination for the "frivolous" and "delusional" in the ORDER is premature. It is premature because the Judge of that Order had not shown any evidence that would substantiate the claims of "frivolous" and "delusional" in the ORDER. Like the Court would need clear and convincing evidence that: both actor Isaac Kappy who Lin Wood (Document #293, Attachment #13) may believe that Isaac Kappy was murdered (Document #290-1, Page 14 of 16) and Attorney L. Lin Wood are delusional and that they made claims which are delusional. That would need to be proven that they are delusional before such labels can stick to their characters. Unless the federal government can prove to this Court that Lin Wood and Brian Hill are both delusional in making the claims of the general blackmail scheme of "child rape" and "murder", after reviewing over the alleged blackmail video files after using the encryption key password provided by Isaac Kappy and/or anybody he personally knew when he was alive, it is premature to dismiss GROUND VII outright. In fact it is legally considered dangerous to allow any child rape and murder to go unpunished, that would be allowing criminals to harm minors. The District Court must find out who is in the blackmail videos at this point. Even the U.S. Marshals Service is obligated by law to investigate the blackmail video files. Petitioner doesn't even have to ask

the Court to review over the blackmail videos if he cannot prevail on that ground. He can file a complaint with the U.S. Marshals Service on the blackmail scheme triggering them to investigate by first contacting Attorney Lin Wood and file an administrative subpoena to investigate the "child rape" and "child murder" as those are heinous crimes against children. Even the Internet Crimes Against Children (ICAC) task force or any sexual abuse task force of any law enforcement agency should be investigating those blackmail videos. It doesn't matter how scary it is.

28. Petitioner welcomes Anand Prakash Ramaswamy, AUSA the opportunity to contact Attorney L. Lin Wood and ask about the blackmail video files and have law enforcement review over them. The problem is they can choose to ignore or cover up the blackmail video files and refuse to prosecute. There needs to be an intervention by either Law Enforcement or the District Court or both. Child rape and murder blackmail is serious in two elemental regards. First element is that blackmail is a federal and state crime, it is illegal to blackmail any judge or any government official. Having evidence of such crime but taking no action to ensure that any law enforcement agency or officer or any Court takes any legal action is misprision of a felony. Second element is that the raping and murdering of any child is a sexual crime against a child, a minor, which such heinous crime includes murder. Those are usually a higher felony sex offense level. Petitioner is doing his civic duty as a law abiding American citizen and wanting that

investigated. Petitioner has never raped, never murdered, never molested. Petitioner is being treated worse than Bill Cosby and Michael Jackson and all constitutional rights afforded to actual rapists and child molesters and murderers, those constitutional rights were never given to Petitioner. Petitioner has always wondered since late 2019 why Andre Haymond, a serial child pornographer, is given the Constitutional right to a trial by jury for a supervised release violation due to the U.S. Supreme Court ruling in 2019, but not the Petitioner. The Petitioner isn't given the same legal relief given to serial child pornographer Andre Haymond. The Petitioner is being given no rights. None of it makes any sense. Every criminal defendant is entitled to Constitutional rights and have been given those rights but not Petitioner. Petitioner has reasons enough to suspect blackmail. Petitioner has many reasons he can argue as to why he suspects blackmail. The difference in judicial treatment compared to other criminal defendants in other cases. The difference in how evidence is reviewed or investigated or interpreted compared to different criminal cases.

PRACTACLE REASONS WHY BLACKMAIL SUSPICION IS WARRANTED

29. Last year, Petitioner had filed the Petition for the Writ of Mandamus in the U.S. Supreme Court against the Fourth Circuit of the United States Court of

Appeals and three judges of this Court[1] because the controlling case law of the U.S. Supreme Court suggests that judges of this Court may not be following any of the U.S. Supreme Court case precedents in Petitioner's criminal case. The law seems to not be followed and Petitioner is wondering why that is for a Court of Law. That is one of the primary reasons why Petitioner suspects blackmail here. All three judges of this Court were served those Mandamus petition copies last year. One of them is the Judge who entered Order Document #300, at issue in this Motion to Reconsider. That too is a conflict of interest for Hon. Joe L. Webster to be making a legal determination in Brian's case after being served as a Respondent in a separate case or suit in the Supreme Court last year, alleging that the Supreme Court's precedential laws were not being followed. Petitioner asserts that there is another conflict of interest and that is the Hon. Joe Webster could retaliate or could have retaliated against Petitioner after being served last year with the Mandamus petition copy. Again citing 28 U.S. Code § 455 - - Disqualification of justice, judge, or magistrate judge.

30. The U.S. Constitution requires that all inferior Courts follow the Supreme Court because it is common sense as to why. Why does the Supreme

[1] U.S. Supreme Court case: In Re Brian David Hill, Petitioner; No. 21-6038; October 21, 2021; Petition denied: Nov 15 2021; Rehearing denied: Jan 10, 2022. Case filed against Fourth Circuit Judges and U.S. District Judges Hon. Thomas David Schroeder, William Lindsey Osteen Junior; Magistrate Joe L. Webster. All three were served Mandamus petition copies last year.

Court even exist if lower Courts do not have to follow any of its precedents? The Constitution mentions in its writings that: "The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish." Arguably, there is no good reason for the U.S. Supreme Court to even exist if inferior Courts can choose to simply ignore its set precedents. It would be a waste of tax payers' money to have a Supreme Court when U.S. District Courts and U.S. Courts of Appeals decide on their own whims to ignore the Supreme Court and its well settled precedents to protect an inferior Court's own interests and opinions and viewpoints.

31. The Importance of Precedent. In a common law system, judges are obliged to make their rulings as consistent as reasonably possible with previous judicial decisions on the same subject. The Constitution accepted most of the English common law as the starting point for American law.

32. Barger v. Brock, 535 S.W.2d 337, 341 (Tenn. 1976) ("**It is a controlling principle that inferior courts must abide the orders, decrees and precedents of higher courts. The slightest deviation from this rigid rule would disrupt and destroy the sanctity of the judicial process. There would be no finality or stability in the law and the court system would be chaotic in its operation and unstable and inconsistent in its decisions.** Personal and property rights would be insecure and litigation would know no end. Fortunately our courts recognize and

apply the rule that lower courts are bound by the decisions of higher courts. As held in Bloodworth v. Stuart, 221 Tenn. 567, 428 S.W.2d 786 (1968) "the Court of Appeals has no authority to overrule or modify Supreme Court's opinions." The principle by which the procedural aspects of this case must be controlled was announced by the Supreme Court, meeting in Sparta, in August 1832, in Dibrell v. Eastland, 11 Tenn. 507.").

33. Again, Barger v. Brock, 535 S.W.2d 337, 341 (Tenn. 1976) ("**It is a controlling principle that inferior courts must abide the orders, decrees and precedents of higher courts. The slightest deviation from this rigid rule would disrupt and destroy the sanctity of the judicial process.**") That statement is true and when a judge or group of judges of the Fourth Circuit decide to no longer listen to the precedents of the U.S. Supreme Court then this "would disrupt and destroy the sanctity of the judicial process." Why would this be happening?

34. The Petitioner had filed the Petition for Writs of Mandamus and/or Prohibition last year in the Supreme Court, as noted above in Paragraph 29, hoping that the inferior Court not following any well settled precedents or facts favorable to Petitioner would be overruled by the Supreme Court. However, the Clerk's Office of the Supreme Court had engaged in blocking emergency motions from being filed after the mail room at the Supreme Court had received envelopes and even a box with the Emergency Motions for the Justices. See Document # 290-2,

Petition for Rehearing. The Clerk's Office engaging in blocking, covering up, and/or possibly destroying or concealing the emergency motions and refused to give them to the Justices for review prior to dismissal. Refused to send them back to Petitioner and refused to notify Petitioner if those motions had any deficiency. Petitioner has the proof due to Roberta Hill's emails to the Public Information Office, Petitioner's phone calls to the Clerk's Office recorded by a Phone Call Recording System prior to denial of the Petition for Writs of Mandamus and/or Prohibition. Petitioner has the ultimate proof of multiple Certified Mail receipts and UPS mailing signature or delivery confirmation for the box with the Emergency Motions. Petitioner's filings were unlawfully fettered with and were concealed by the Clerk's Office of SCOTUS as they refused to ever return Petitioner's phone calls for inquiry. After that, his Petition for Rehearing was denied as well. Petitioner fully believes that the law is not being followed anymore and that he was hoping that the Supreme Court would have resolved this issue of judges of this Court not following the precedents of SCOTUS. At this point, that effort had failed. So Petitioner had no choice but to now bring up the ground VII of blackmail in his 2255 Motion and in his Document #294 and Document #296. Because it doesn't make any sense for any judge to just ignore the Supreme Court, ignore any evidence, ignore any witnesses, ignoring any law or any law favorable to Petitioner and not the Government, and almost-always deny Petitioner's motions

throughout the entire criminal case. Petitioner is confused why this is all happening. Researching controlling case laws don't seem to matter anymore and they don't make a difference when it is all usually rejected.

35. It is known to anybody who has studied sociology and criminology that the system has always been designed to be a fixed system against the common man. That the cards are always stacked against the citizen. That the system is designed to keep the common man down, to never get ahead in life honestly except maybe Donald Trump is very few honest rich people who do get ahead in a fixed system but Trump may had also gamed the system as well. The system is rigged by design. One of those ways is that the law is always against the common citizen but the law is not always against a Government official which is supposed to be a public servant. Anyways, even though the law is one sided, the judicial system of Governance was not designed to always be favorable to the Government and not in favor of a pro se litigant or litigant with a competent effective counsel. For centuries, judges have always followed the Supreme Court and the law but judges only went against the law when a particular law had violated the Constitution or a particular law had no proper jurisdiction for application. Very rarely do judges refuse to follow the Supreme Court and ignore its precedents.

36. For example, in the GROUND I of Petitioner's 2255 Motion and 2255 brief (See Document #292, Pages 36 through 44 of 194), Petitioner was

constitutionally deprived of a Trial by Jury despite the U.S. Supreme Court ruling in 2019, months prior to the final revocation hearing, that all Supervised Release violators are presumed innocent until proven guilty beyond a reasonable doubt and are entitled Constitutionally to a trial by jury. That U.S. Supreme Court decision did not apply to only one specific section or sub-section. It was not restricted to or confined to such. They never made that ruling to only cover a specific section of a statute and leave any other Supervised Release defendant to suffer differently under a different section, subsection, or paragraph. The Supreme Court said that all Supervised Release Violation prosecutions are treated the same as regular criminal prosecutions and require trials by jury. See Haymond, 139 S. Ct. at 2390 ("any accusation triggering a new and additional punishment [must be] proven to the satisfaction of a jury beyond a reasonable doubt"); Id. at 2380 ("a jury must find all of the facts necessary to authorize a judicial punishment"). United States v. Haymond, 139 S. Ct. 2369, 2379 (2019) ("Calling part of a criminal prosecution a "sentence modification" imposed at a "postjudgment sentence-administration proceeding" can fare no better. As this Court has repeatedly explained, any "increase in a defendant's authorized punishment contingent on the finding of a fact" requires a jury and proof beyond a reasonable doubt "no matter" what the government chooses to call the exercise. Ring , 536 U.S. at 602, 122 S.Ct. 2428.").

37. The Hon. Thomas David Schroeder did not follow that precedent as outlined in United States v. Haymond, 139 S. Ct. 2369, 2379 (2019). When the Petitioner's attorney brought that up on appeal, the Fourth Circuit completely ignored and disregarded the Haymond decision (Document #257) by using their older 2014 case law of Ward which cannot override the Haymond decision of 2019. For the first time had publicly decided that the Supreme Court precedents do not matter in this case, in the United States's criminal case against Brian Hill. So Petitioner is being placed in an entirely separate set of rules, tribunal system of rules and is being given an entirely separate judicial process that is separated from the one with precedents set by the Supreme Court. Petitioner is not being given a fair trial, not being given a jury trial when required by the Supreme Court and the U.S. Constitution, evidence seemed like it is been ignored for years and witnesses are being ignored and have been ignored for years when not favorable to the Government.

38. It is logical that Petitioner suspects "blackmail". Even if sociology concludes that the system is fixed against the common man so that we as a people can never get ahead in life unless we cheat like the corporations do, and that Courts are always fixed and that the law is always fixed against the people, the jury trial process is the only real check and a balance by we the people in the Judicial System of the Federal Government. The purposes of a jury is the same as the right

to vote in elections to decide who is elected into our Government, we the people as in a jury trial control the fate of other people and we the people control the fate of our Government, not the other way around. The Government should not always control the fate of the people. For Petitioner to be deprived of his basic fundamental Constitutional rights guaranteed by the Supreme Court when that is usually unacceptable or unheard of in a Constitutional republic. The only logical and reasonable suspicion or probable cause, or explanation of possibly why is that it is possible that the judges are being blackmailed or threatened or unlawfully influenced somehow. That the blackmail may extend beyond just the scope of any of the U.S. District Courts but according to Attorney Lin Wood publicly stated in his tweets suggests that the blackmail scheme may extend to one or maybe even more justices in the Supreme Court as to why many petitions asking for help from inferior Courts ignoring the Supreme Court are usually denied. See Document #293, Attachment #8. Attorney Lin Wood's statements, if proven true, makes a lot of sense, because when the law is ignored or applied only favorably to always one particular party of a case, evidence is ignored when the other party's evidence is not ignored, motions are almost always denied no matter what is argued, then Petitioner has a zero 0% percent chance of victory in this Court. If things are as fixed as feared, Petitioner has a zero percent chance of winning in this Court and

has a zero percent chance of winning in the Fourth Circuit. Probability of 0% means by definition that an event cannot occur, denied, that's all folks.

39. Petitioner also was made aware by family's research that top sex trafficking criminal suspects Ghislaine Maxwell and/or Jeffery Epstein has the criminal power possibly to such an extent where a judge's family was targeted by a gunman, by an assassin. Coincidentally very close to after the judge was assigned to "a case related to Jeffrey Epstein". Petitioner's family introduces this link below, Petitioner understands why judges don't want to rock the boat and want to stay away from anything regarding this Jeffrey Epstein blackmail scheme nightmare. Petitioner understands why no judge wants to stop the top people of pedophile rings and their blackmail schemes. Instead they rather prosecute only small time people accused of child pornography or small time pedophilia offenses because they have less risk involved in those criminal cases. They don't want to usually target the pedophile rings at the top because of their political connections, their law enforcement connections. See the link: http://web.archive.org/web/20211102004822/https://www.republicworld.com/world-news/us-news/epstein-case-federal-judges-son-killed-after-disguised-men-attack.html. See **Exhibit 11**. Petitioner didn't know that Lin Wood's claims of blackmail scheme with "child rape" and murder as Attorney Lin Wood spoke of may have something to do with Jeffrey Epstein and Ghislaine Maxwell. That is

until **Exhibit 7**. Petitioner's mother found that photo and gave a copy of this photo to Petitioner and now he understands how powerful this "child rape" and "child murder" blackmail scheme truly is. Powerful enough to influence Government actors and Government employees. Petitioner understands that Federal Judges are afraid of going after those powerful people at the top who were connected with Ghislaine Maxwell and Jeffrey Epstein because of what they knew and how they knew it. They, Ghislaine Maxwell and/or Jeffrey Epstein even had possession of child pornography and yet was never charged with possession of child pornography by the U.S. Attorney Office in New York even though Petitioner had been charged in 2013 with possession of child pornography as outlined in Documents #1, and #2, of this case. See **Exhibit 12** for the article about Jeffrey Epstein having a large cache of child pornography and yet he was never ever charged with any counts of possession of child pornography by the U.S. Department of Justice. They are not about justice and should be relabeled as the U.S. Department of InJustice. Petitioner wonders why he was charged with possession of child pornography but not Ghislaine Maxwell and not Jeffrey Epstein. **The feds claim or assert that they make a big deal out of anybody who possesses child pornography and would viciously prosecute anybody who was caught possessing such material but that is a lie, it is a clear lie. That was not always the case here.** The U.S. Department of Justice is lying as they do not go

after serial child pornographers like Jeffrey Epstein and Ghislaine Maxwell. Only charged them with sex trafficking and other crimes but completely ignored the "child pornography" possession or production. That is one of the easiest crimes to convict somebody of is if they are caught possessing child pornography. However, the Justice Department refused or just didn't want to charge Jeffrey Epstein and Ghislaine Maxwell with possession of child pornography. That is how much power they have over the judiciary. The Department of Justice is broken when they make Petitioner's life a living hell and Anand Prakash Ramaswamy had kept lying about Petitioner over the years, but Ghislaine Maxwell will never face any child pornography charges herself. The judicial system is not supposed to be a double standard here, but because of the Department of Justice, it is a double standard depending who you are, how rich you are, and who you know. Petitioner understands that judges are afraid to look into the blackmail scheme of child rape and murder claims due to **Exhibit 11**. However kids are being raped and murdered here and nobody cares that they are being raped and murdered? Attorney Lin Wood said kids were being raped and murdered, but AUSA Anand Prakash Ramaswamy doesn't care because he only wants to go after Brian Hill and make his life a living hell for almost a decade as a prosecutor. Would the Court rather continue giving Petitioner another miscarriage of justice because they fear the probability or possibility that the blackmailers at the top positions of power may

come after them if they don't do things such as for example: against the blackmailer's enemies. Do they fear such targeting that the judge rather play it safe by denying Petitioner's motions asking for an attorney (Doc. #296) or Special Master (Doc. #294) to begin reviewing over the blackmail video files to see if any judges of this Court are in any of the blackmail video files.

IT IS PREMATURE TO ORDER THE GOVERNMENT TO RESPOND WHILE APPEALS ARE STILL PENDING IN THE VIRGINIA STATE COURTS; THE DISTRICT COURT HAD ERRED IN MAKING THIS DECISION AT THIS TIME

40. The ORDER under Document #300 ordering a Response to Petitioner's Motion (Docket Entry 291) within sixty (60) days from the date of the entry of this Order, is premature because this gives the Government leeway to possibly file a Motion to Dismiss Petitioner's 2255 Motion just like the last time under Document #141 and Document #142. It is premature and an error of law at this time because Petitioner is still fighting in the Virginia Court system for acquittal and is still in the process with the Secretary of the Commonwealth in pushing for being declared or found actually innocent by Absolute Pardon or acquitted of his charge of indecent exposure under Virginia Code § 18.2-387. Petitioner needs more time for the State Appeals to conclude regarding whether or not Petitioner is entitled to a New Trial by Jury in the Virginia criminal case over the indecent exposure charge at issue for this entire 2255 Motion. Petitioner needs more time for Governor

Glenn Youngkin to determine if Petitioner has proven enough of his legal innocence to be granted an Absolute Pardon which allows Petitioner to expunge his entire criminal case. Any Court Order for expungement of the police records and entire criminal case files may also apply to the nude photographs of defendant/Petitioner. If the Circuit Court orders expungement of the entire case and the police records, the U.S. Attorney may also have to destroy the photographs or police report of Petitioner since those photographs were obtained by a Search Warrant state process if acquittal or Absolute Pardon allows the Petitioner to request that the Circuit Court order expungement of his criminal case which includes erasure or sealing of the warrants. That expungement would include the state Search Warrant too. Therefore the evidence by the Commonwealth and by the U.S. Attorney Office may also have to be expunged or invalidated as well if Petitioner is successful. Even if the nude photographs couldn't be erased under some technicality, the underlying criminal charge behind them and police report would be expunged which would nullify the entire basis for Petition for Warrant or Summons for Offender Under Supervision filed in 2018. It would nullify the case files to such an extent where there is no evidence of a crime, and no crime existed on September 21, 2018, due to the Petitioner being innocent to be acquitted.

41. Petitioner's Motion for Judgment of Acquittal in the Circuit Court for the City of Martinville, criminal case no. CR19000009-00, based on new evidence and

based on a new Virginia Law, was denied on February 10, 2022 because the Circuit Court claimed that they had no jurisdiction. They did not say that Petitioner was guilty in that particular order and they did not outright threw out the evidence in support of that motion, but was simply denied over issue of jurisdiction. Petitioner had timely appealed that ORDER on 22th day of February, 2022. Appeal CAV case no. is 0290-22-3.

42. Petitioner's Motion for New Trial or Judgment of Acquittal in the Circuit Court for the City of Martinville, criminal case no. CR19000009-00, based on new evidence and based on a new Virginia Law, was denied on February 22, 2022 because, again the Circuit Court claimed that they had no jurisdiction. They did not say that Petitioner was guilty in that particular order and they did not outright threw out the evidence in support of that motion, but was simply denied over issue of jurisdiction. Petitioner had timely appealed that ORDER on 22th day of February, 2022. Appeal CAV case no. is 0289-22-3.

43. Petitioner's filed Petition for the Writ of Actual Innocence in the Court of Appeals of Virginia, case no. 0173-22-3, based on new evidence and based on a new Virginia Law, was summarily dismissed on March 1, 2022 (noted: coincidentally, that Petition was summarily denied a day prior to this Court's Order under Doc. #300) because, the Court of Appeals claimed that they had no jurisdiction since that Petition only applies to felony convictions and not to

misdemeanors. That does not mean Petitioner did not prove his innocence to the Supervised Release Violation here. They did not say that they believed that Petitioner was truly guilty in that order and they did not outright threw out the evidence in support of that Petition as to any facts or elements of guilt or innocence, but was simply denied over issue of jurisdiction. Petitioner had timely appealed that ORDER on March 1, 2022. Appeal case number has not yet been assigned by the Supreme Court of Virginia for whatever their reason is. See **Exhibit 13** and **Exhibit 14**. **Exhibit 13** is the Notice of Appeal and **Exhibit 14** is the Order summarily dismissing due to the statutory restrictions over Writs of Actual Innocence over misdemeanor cases including indecent exposure.

FINAL ARGUMENTS

44. The Magistrate Judge Hon. Joe L. Webster of the District Court had erred or abused discretion in denying the Document #294 requesting a Special Master and in denying Motion under document #296 requesting appointment of counsel. It is because the witness Attorney L. Lin Wood is credible, witness Isaac Kappy who was murdered was a credible witness and those who knew Isaac Kappy who went to Attorney L. Lin Wood with the password and the source or sources under attorney/client privilege who has the alleged blackmail video files. Again see **Exhibit 7** and **Exhibit 8**. The Petitioner is not delusional for believing or suspecting that the judges was being blackmailed, or was being bribed, or was

being threatened or was being pressured behind the scenes due to the ignoring of the Supreme Court precedents, and Petitioner being deprived of his Constitutional right to Trial by Jury by this Court after the Supreme Court made that clear. Petitioner never should have been revoked of Supervised Release. The LAW is ON HIS SIDE. Petitioner's conviction under Document #200 is illegal, unconstitutional, and for the Court not vacating that order merely on Constitutional grounds but Bill Cosby, Michael Jackson, and OJ Simpson all have fair trials. They got out of their charges on mere technicalities but not the Petitioner. Petitioner believes he is dealing with those who may be a target of blackmail here. See Document #290, Attachment #1. Petitioner didn't want to disclose to this Court about the blackmail suspicion until all other remedies are fully exhausted. They have been. All federal appeals failed, all Supreme Court petitions failed. Petitioner couldn't even get justice in request for Writs of Mandamus and/or Prohibition. Petitioner is stuck and the laws are not being followed here. Petitioner no longer believes that he has any chance no matter what he argues. Petitioner has a zero percent chance of winning in this Court with whatever is going on behind the scenes here. As long as the blackmail video files are never going to be reviewed, he will never be able to thwart the blackmailers. The blackmailers are turning any of the judges into puppets. Puppets. Attorney L. Lin Wood has a responsibility as a lawyer to expose this blackmail scheme if the Government refuses to protect the

children who were raped, abused, and the children who was tortured by the directives of the blackmailers. Petitioner requests that this Court request the U.S. Marshals of the Middle District of North Carolina to subpoena Attorney L. Lin Wood and investigate the alleged blackmail video files. It is the job of the Federal Marshals to investigate the claims of any criminal blackmail and investigate any potential blackmailing of any of the Federal Judges. In the event that the U.S. Marshals refuse to investigate the blackmail videos then they are complicit in the alleged blackmail scheme, Misprision of a felony. That would make the U.S. Attorney Office complicit in the alleged blackmail child rape scheme, as well as the U.S. Department of Justice, I mean Department of InJustice. It is clear that the Court should not have denied Motions under Documents #294 and #296. The blackmail videos do exist due to the word of an officer of the Court in Georgia and the Exhibits #1, #2, #3, #4, #5, #6, #7, #8, #9, and #10 all conclude the credibility of the Attorney Lin Wood claims as they go far beyond just Lin Wood. The scheme of child rape blackmail videos involving judges and officials were originally alleged by American actor Issac Kappy prior to his death in May, 2019 and those who also have access to the encrypted blackmail videos. The white hats aka the good Samaritans inside or outside of authority whether authority or not that have those videos have to be sure that they are encrypted by whoever has them. The white hats whether inside of Government or outside of Government have to be

careful because the child rape and murder blackmail videos may be considered as child pornography under 18 US Code § 2252. It is the duty of Anand Prakash Ramaswamy as a law enforcement prosecutor and this Court to investigate the blackmail videos. It is the duty of the U.S. Marshals Service of each respective district to investigate the blackmail videos. Child pornography including unlawful acts of child rape are subject to criminal investigation and prosecution and should very well be. Petitioner was charged with possession of child pornography. It is WRONG to not investigate the blackmail videos for violation of 18 US Code § 2252, child pornography law. It is wrong to do nothing about it.

45. As to Motion #294: The Magistrate erred on his assumption that Petitioner was delusional and frivolous. There is no evidence of such since the evidence uses the credibility of Attorney Lin Wood, and Actor Isaac Kappy and any other individuals involved here. Attorney/client privilege is involved here as to why Petitioner does not know the name or names of the individual or individuals who possess the encrypted blackmail video files. That is why Petitioner does not have Lin Wood's source's name or names. Petitioner's evidence of Attorney Lin Wood and the other Exhibits far show that the public's interests in seeing justice require that the Document #294 Motion for Special Master is warranted here. Lin Wood is an officer of the Federal Courts in Georgia as well as the Federal Appellate Court and the Supreme Court. Highly qualified individual as witness as

to why the Motion under Document #294 must be granted for the interests of impartiality and the interests of justice so require.

46. As to Motion #294: The Magistrate erred on his assumption that Petitioner was delusional and frivolous. There is no evidence of such since the evidence uses the credibility of Attorney Lin Wood, and Actor Isaac Kappy and any other individuals involved here. Attorney/client privilege is involved here as to why Petitioner does not know the name or names of the individual or individuals who possess the encrypted blackmail video files. That is why Petitioner does not have Lin Wood's source's name or names. Petitioner's evidence of Attorney Lin Wood and the other Exhibits far show that the public's interests in seeing justice require that the Document #296 Appointment of Attorney for purposes of discovery and investigation into the blackmail videos is warranted here. Lin Wood is an officer of the Federal Courts in Georgia as well as the Federal Appellate Court and the Supreme Court. Highly qualified individual as witness as to why the Motion under Document #296 must be granted for the interests of impartiality and the interests of justice so require.

47. It is premature for this Court to order a response from the U.S. Attorney Office and allowing them the possibility of pushing for any Motions to Dismiss because the State appellate process is still ongoing which may or may not acquit Brian David Hill and allow him to file a Petition for Expungement under Virginia

Code § 19.2-392.2. "Expungement of police and court records". That order may apply to the nude photos of Petitioner and may also apply to expungement of the very foundation of the charge of Supervised Release Violation. If the expungement petition is granted then there was no violation of Supervised Release on September 21, 2018, as outlined in Charging Documents #157, and #158. The 2255 Motion is about challenging the Supervised Release Violation conviction which was directly triggered by the criminal case filed on September 21, 2018. If Petitioner is acquitted in any way, shape, or form by the pending appeals or by the Governor's Office, Petitioner's case must be expunged and this will conclude that Petitioner's 2255 Motion must be granted regardless of whatever the U.S. Attorney argues in response. Default Judgment or Summary Judgment would be warranted in Petitioner's favor. It would also prove that the U.S. Attorney Office did defraud the Court as outlined in Document #206 which was uncontested by the Government and was wrongfully denied by Hon. Thomas David Schroeder. It is clear that Petitioner must be allowed to exhaust all remedies regarding his state criminal charge on September 21, 2018, before any dismissal or disposition of Petitioner's 2255 Motion in this case. The Court must reconsider its decision and order a delay of response from the Government indefinitely until the state appeals are fully exhausted and the Governor's office makes a final decision on Petitioner's pending Petition for an Absolute Pardon.

48. **Exhibit 15** proves to this Court that a NOTICE OF APPEAL was filed in response to the Hon. Giles Carter Greer denying Brian Hill's entitled "MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL BASED UPON NEW EVIDENCE WHICH COULD NOT BE ADMISSIBLE AT THE TIME OF CONVICTION; NEW EVIDENCE OF SPOLIATION OF EVIDENCE COMMITTED BY COMMONWEALTH OF VIRGINIA; REQUEST FOR SANCTIONS AGAINST COUNSEL GLEN ANDREW HALL, ESQUIRE (OFFICER OF THE COURT) FOR VIOLATING COURT ORDERS FOR NOT TURNING OVER BODY-CAMERA FOOTAGE AND IT IS LIKELY DESTROYED AND BIOLOGICAL EVIDENCE OF BLOOD VIALS OBTAINED ON DAY OF CHARGE, ALSO LIKELY DESTROYED". That was the order of denial on February 22, 2022.

49. **Exhibit 16** proves to this Court that a NOTICE OF APPEAL was filed in response to the Hon. Giles Carter Greer denying Brian Hill's entitled "MOTION FOR JUDGMENT OF ACQUITTAL BASED UPON NEW EVIDENCE WHICH COULD NOT BE ADMISSIBLE AT THE TIME OF CONVICTION; NEW EVIDENCE OF SPOLIATION OF EVIDENCE COMMITTED BY COMMONWEALTH OF VIRGINIA; REQUEST FOR SANCTIONS AGAINST COUNSEL GLEN ANDREW HALL, ESQUIRE (OFFICER OF THE COURT) FOR VIOLATING COURT ORDERS FOR NOT TURNING OVER BODY-

CAMERA FOOTAGE AND IT IS LIKELY DESTROYED AND BIOLOGICAL EVIDENCE OF BLOOD VIALS OBTAINED ON DAY OF CHARGE, ALSO LIKELY DESTROYED". That was the order of denial on February 10, 2022.

50. **Exhibit 17** proves to this Court that the appeal case was opened up for the NOTICE OF APPEAL under **Exhibit 15**. CAV case no. 0289-22-3. Notice of Appeal was timely filed and was considered filed on the date of February 22, 2022. That appeal was opened as an appeal of right for criminal case appeals instead of an appeal with possibly a lack of jurisdiction unless a Petition for Appeal was granted.

51. **Exhibit 18** proves to this Court that the appeal case was opened up for the NOTICE OF APPEAL under **Exhibit 16**. CAV case no. 0290-22-3. Notice of Appeal was timely filed and was considered filed on the date of February 22, 2022. That appeal was opened as an appeal of right for criminal case appeals instead of an appeal with possibly a lack of jurisdiction unless a Petition for Appeal was granted.

52. The paragraphs 48-51, (pages 52-53) prove to this Court that not all remedies have been exhausted in Brian David Hill pushing to be legally acquitted. The District Court was premature in its order under Document #300 requesting a response from the Government allowing them to possibly file a Motion to Dismiss while state appeals for the very criminal case are still ongoing. If Petitioner is

acquitted of his state conviction, then Petitioner has the statutory right to file a Petition for Order of Expunction; Form CC-1472; pursuant to VA. CODE § 19.2-392.2 I. That form is for a "petition to expunge the police and court records, including electronic records, relating to the charge(s) specified below is based on subsection I of § 19.2-392.2, as the petitioner has been granted an absolute pardon for the commission of a crime or offense that the petitioner did not commit." The other form for petition for expungement is PETITION FOR EXPUNGEMENT FILED IN A CIRCUIT COURT – ACQUITTAL/DISMISSAL; Form CC-1473, pursuant to VA. CODE § 19.2-392.2 A. That form and the law explains that "Pursuant to § 19.2-392.2 A, a person charged with the commission of a crime may file a petition setting forth the relevant facts and requesting expungement of the police records and the court records relating to the charge IF one of the following is true: 1. The person is acquitted…".

53. If the Petitioner's criminal charge is expunged due to acquittal or Absolute Pardon from the Governor then that includes the police report dated September 21, 2018, the criminal complaint dated September 21, 2018, and all criminal case files. If the Petitioner is acquitted in the Commonwealth of Virginia, it directly affects this 2255 Motion regardless of what the Government argues when ordered to respond as stated in Document #300 ORDER. Nothing that the U.S. Attorney could argue would matter if Petitioner was acquitted because then

the Petitioner can and will push for Expungement of the police arrest record, criminal record, the Search Warrant, and everything that led up to Charging Document #156, #157, and #158 by the U.S. Probation Office. The U.S. Probation Office may also be required to or need to expunge the records obtained from the Court or Martinsville Police Department. The U.S. Attorney Office may also be required to or need to expunge the records obtained from the Court or Martinsville Police Department. The criminal case would hold no legal value, no legal bearing, and thus the 2255 Motion can be granted no matter what the Government argues because then there will be no underlying criminal charge to which had directly triggered the Charging Documents #156, #157, and #158 by the U.S. Probation Office. The Revocation Judgment or Order under Document #200 would be null and void because then the Petitioner did not engage in any commission of a crime on the date of September 21, 2018. The ORDER under Document #200 would be illegal and based on no factual basis and no legal basis. The whole Supervised Release Violation was on the basis that Petitioner had engaged in the commission of a crime on September 21, 2018. As noted by status report under Document #153, dated September 27, 2018, and filed on October 17th, 2018. A month before the Charging Documents were filed.

54. So it is premature for this Court to order a 60 day response from the Government/Respondent until after the state appeals have entirely been exhausted.

The Governor of Virginia may also grant Petitioner's request for an Absolute Pardon. That petition for an Absolute Pardon was filed in 2019. Unless that petition for an Absolute Pardon was denied by the Governor's office, that Petition will directly change the entire outcome of this 2255 Motion and will effect the entire outcome of this 2255 Motion. It will directly prove Actual Innocence under GROUND FOUR: Actual Innocence - Legal Innocence (See Document #291, Page 8 of 33). It will require vacatur of the conviction under Document #200. No matter what the Government argues, Petitioner being acquitted and expunged of his state conviction will erase those records by Court Order and would create the issue that Document #200: "JUDGMENT ON REVOCATION OF PROBATION/SUPERVISED RELEASE…" would be baseless and meritless if expungement is ordered. No matter what the U.S. Attorney argues, if Petitioner is acquitted in any way which allows expungement of the criminal complaint, police records, those police records directly contributed to the Charging Document #156, #157, and #158 by the U.S. Probation Office. Once they are legally erased and if they are legally erased, the U.S. Probation Office's complaint and request for revocation in 2018 would be baseless, meritless, and was frivolous.

55. Therefore Petitioner's 2255 Motion is not ripe for the Government's response in 60 days or the Government must acknowledge the facts in this Motion to Reconsider that Petitioner still may have a fighting chance at being acquitted or

being given an Absolute Pardon which is a Governor's Pardon of Innocence. That proves Petitioner did not violate the conditions of his Supervised Release on September 21, 2018. That would invalidate the very purpose for the revocation.

56. Because the criminal case and all timely direct appeals have not been exhausted yet, it is premature for the Government to be ordered to respond as ordered under Document #300.

57. Because the Petitioner had filed a 2019 Petition for an Absolute Pardon from the Governor of Virginia if he can prove to the Governor that he is innocent of his charge of indecent exposure under Virginia Code on September 21, 2018, that petition is still under review, it is premature for the Government to be ordered to respond as ordered under Document #300.

58. Petitioner retains that he may file a 2254 Motion in the U.S. District Court in Roanoke, Virginia concerning his charge on September 21, 2018, and wrongful conviction in the Circuit Court after exhausting all state remedies but will file the 2254 Motion before the one year statute of limitations. Petitioner plans on bringing up Actual Innocence in that Federal Court and will directly push under the U.S. Constitution to nullify the criminal conviction in the Circuit Court for the City of Martinsville. That 2254 Motion statute may require that Petitioner be under state custody to file that motion, but Petitioner will attempt to use two loopholes as to why his 2254 Motion should be accepted in Federal Court. One loophole is that his

state criminal charge and wrongful state conviction led to additional years of Supervised Release by the United States so his state conviction directly triggered the United States to give Petitioner additional years to serve under Supervised Release. Therefore that loophole should be accepted since Petitioner is technically in Federal Custody with increased punishment as caused by the state charge until his term of Supervised Release has ended. Second loophole is that Petitioner will claim Actual Innocence which gives the Federal Habeas Court a reason to accept a 2254 Motion regardless of any procedural defects. Actual Innocence can overcome procedural defects in a Federal Habeas petition. See McQuiggin v. Perkins, 569 U.S. 383, (2013) ("Held: 1. Actual innocence, if proved, serves as a gateway through which a petitioner may pass whether the impediment is a procedural bar, as it was in Schlup v. Delo, 513 U.S. 298, 115 S. Ct. 851, 130 L. Ed. 2d 808, and House v. Bell, 547 U.S. 518, 126 S. Ct. 2064, 165 L. Ed. 2d 1, or expiration of the AEDPA statute of limitations, as in this case. Pp. 391-398, 185 L. Ed. 2d, at 1030-1034.") See Schlup v. Delo, 513 U.S. 298, 349 (1995) ("Murray v. Carrier, 477 U.S. 478, 496 (1986) ("[W]here a constitutional violation has probably resulted in the conviction of one who is actually innocent, a federal habeas court may grant the writ even in the absence of a showing of cause for the procedural default") (emphasis added in all quotations). ")

59. Petitioner has proven to this Court that the Government should not yet be ordered to respond within 60 days until all state remedies are exhausted concerning the wrongful criminal conviction in the Virginia state Court in the City of Martinsville. It is premature and the Government will likely attack Petitioner's 2255 motion while making premature claims or premature arguments or premature statements. They may prematurely push for dismissal when facts haven't been fully developed yet for all GROUNDS.

60. Petitioner's 2255 Motion was timely filed but he could not wait until the state remedies were exhausted prior to filing the 2255 Motion in this case, even though the state conviction directly led to the federal conviction. Waiting until the state remedies may succeed would bar this 2255 Motion as untimely filed. So Petitioner had to file the 2255 Motion while the state appeals and requests for remedy was still pending. The Government should not be ordered to respond until the state appeals processes are concluded. If Petitioner files a 2254 Motion, then this Order under Document #300 needs to be tolled until that completion.

61. Petitioner requests that this Court toll it's Order for the Government to respond until all remedies have been exhausted including the 2254 Motion Petitioner plans on filing after the final decision of the direct appeal of his criminal conviction to prevent untimely filing. Unless Petitioner is acquitted or found innocent by the state, Petitioner plans on filing a 2254 Motion in Roanoke,

Virginia, in that U.S. District Court. Petitioner requests modification of the Document #300 order to toll any response from the Government until all state remedies have been exhausted.

62. An abuse of discretion occurs when the district court demonstrates "an unreasoning and arbitrary insistence upon expeditiousness in the face of a justifiable request for delay." Morris v. Slappy, 461 U.S. 1, 11-12 (1983).

63. The Order for the Government's response of 60 days under Document #300 is attempting to demonstrate an unreasoning and arbitrary insistence upon expeditiousness in the face of a justifiable request for delay. It is justifiable for Petitioner to continue his push for acquittal or Actual Innocence ground in the Virginia state courts until all remedies of such are exhausted with no favorable decision for Petitioner. Petitioner requests delay and tolling on a response until all state remedies are exhausted.

PETITIONER REQUESTS TOLLING FOR NOTICE OF APPEAL

64. If a Rule 60(b) motion is filed within 28 days of entry of the judgment, the time to appeal can and should be tolled. That is the rules. See Fed. R. Civ. P. 60(b)(4)-(6), (c)(1).

65. A timely Rule 59(e) motion tolls the time to appeal the district court's judgment on the section 2255 motion. See Fed. R. App. 4(a)(4)(A). The 60-day time to appeal will not run again until the Rule 59(e) motion is disposed of. Note this important point: if the Rule 59(e) motion is not timely (meaning, not filed within 28 days of the entry of the judgment), then the time to appeal is not tolled.

66. Therefore Petitioner requests that this Motion to Reconsider be the cause of this Court to toll the time deadline to file a timely Notice of Appeal until after disposition of this Motion to Reconsider.

CONCLUSION

For all of the foregoing reasons, the 2255 Petitioner and criminal Defendant requests that the District Court conduct the following:

1. Modify or vacate the #300 Order denying Motion under Document #294 asking for Appointment of Special Master;
2. Modify or vacate the #300 Order denying Motion under Document #296 asking for Appointment of Counsel;
3. Modify the #300 Order to reflect that Petitioner's claims are not "delusional" and are not "frivolous" and Petitioner requests that the District Court remove those erroneous words off of the Order by modifying the Order;

4. That the District Court consider granting either the Motion under Document #294 or Motion under Document #296 or grant both of them;
5. Toll the deadline of Petitioner filing his Notice of Appeal until after the disposition of this Motion;
6. Toll or delay the order for response from the Respondent/Government until after all state legal remedies have been exhausted in good faith;
7. Toll or delay the order for response from the Respondent/Government until after the Governor's Office grants or denies the Petition for an Absolute Pardon from the Petitioner;
8. Grant Petitioner Brian David Hill any other relief as this Court deems appropriate or proper or just.

Respectfully filed with the Court, this the 9th day of March, 2022.

Respectfully submitted,

Brian D. Hill
Signed
Brian D. Hill

Signed
Brian D. Hill (Pro Se)
310 Forest Street, Apartment 2
Martinsville, Virginia 24112
Phone #: (276) 790-3505

U.S.W.G.O.

Former U.S.W.G.O. Alternative News reporter
I stand with Q Intelligence and Lin Wood – Drain the Swamp

I ask Q Intelligence and Lin Wood for Assistance (S.O.S.)
Make America Great Again
JusticeForUSWGO.wordpress.com
USWGO.COM
JUSTICEFORUSWGO.NL

Petitioner also requests with the Court that a copy of this pleading be served upon the Government as stated in 28 U.S.C.§ 1915(d), that "The officers of the court shall issue and serve all process, and preform all duties in such cases. Witnesses shall attend as in other cases, and the same remedies shall be available as are provided for by law in other cases". Petitioner requests that copies be served with the U.S. Attorney office of Greensboro, NC via CM/ECF Notice of Electronic Filing ("NEF") email, by facsimile if the Government consents, or upon U.S. Mail. Thank You!

CERTIFICATE OF SERVICE

Petitioner/Defendant hereby certifies that on March 9, 2022, service was made by mailing the original of the foregoing:

"MOTION TO RECONSIDER THE ORDER/JUDGMENT UNDER DOCUMENT #300 DENYING PETITIONER'S DOCUMENT #294: "MOTION FOR APPOINTMENT OF SPECIAL MASTER FOR PROCEEDINGS AND FINDINGS OF FACT OF GROUND VII"; AND DOCUMENT #296: "MOTION FOR APPOINTED COUNSEL TO ASSIST IN 2255 CASE MOTION AND BRIEF/MEMORANDUM OF LAW IN SUPPORT OF MOTION BY BRIAN DAVID HILL."" and thee (3x) copies of an **Exhibit 4** DVD Video Disc

by deposit in the United States Post Office, in an envelope, Postage prepaid, on March 9, 2022 addressed to the Clerk of the Court in the U.S. District Court, for the Middle District of North Carolina, 324 West Market Street, Greensboro, NC 27401.

Then pursuant to 28 U.S.C. §1915(d), Petitioner requests that the Clerk of the Court move to electronically file the foregoing using the CM/ECF system which will send notification of such filing to the following parties to be served in this action:

Anand Prakash Ramaswamy U.S. Attorney Office Civil Case # 1:17 -cv-1036 101 South Edgeworth Street, 4th Floor, Greensboro, NC 27401 Anand.Ramaswamy@usdoj.gov	Angela Hewlett Miller U.S. Attorney Office Civil Case # 1: 17 -cv-1036 101 South Edgeworth Street, 4th Floor, Greensboro, NC 27401 angela.miller@usdoj.gov
JOHN M. ALSUP U.S. Attorney Office 101 South Edgeworth Street, 4th Floor, Greensboro, NC 27401 john.alsup@usdoj.gov	

This is pursuant to Petitioner's "In forma Pauperis" ("IFP") status, 28 U.S.C. §1915(d) that "The officers of the court shall issue and serve all process, and perform all duties in such cases ... "the Clerk shall serve process via CM/ECF to serve process with all parties.

Date of signing: March 9, 2022	Respectfully submitted, Brian D. Hill Signed Brian D. Hill Signed Brian D. Hill (Pro Se) 310 Forest Street, Apartment 2 Martinsville, Virginia 24112 Phone #: (276) 790-3505 U.S.W.G.O. I stand with Q Intelligence and Lin Wood – Drain the Swamp I ask Q Intelligence and Lin Wood for Assistance (S.O.S.) Make America Great Again

Friend's justice site: JusticeForUSWGO.wordpress.com
JusticeForUSWGO.NL